

Report Date: October 22, 2015

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 22, 2015**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Eriberto Valdez

Case Number: 0980 2:12CR06042-001

Address of Offender: [REDACTED] Kennewick, Washington 99337

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: April 5, 2013

Original Offense: Possession of Ammunition by a Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 39 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: June 12, 2015

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: June 11, 2018

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Standard Condition # 7:</u> The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</p> <p><u>Supporting Evidence:</u> Eriberto Valdez is considered to be in violation of his period of supervised release by using a controlled substance, marijuana, on or prior to August 30, 2015.</p>
2	<p><u>Standard Condition # 7:</u> The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</p> <p><u>Supporting Evidence:</u> Eriberto Valdez is considered to be in violation of his period of supervised release by using a controlled substance, marijuana, on or prior to September 12, 2015.</p>

3 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: Eriberto Valdez is considered to be in violation of his period of supervised release by using a controlled substance, marijuana, on or prior to October 18, 2015.

4 **Special Condition #3:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Eriberto Valdez is considered to be in violation of his period of supervised release by failing to comply with chemical dependency treatment.

On October 6, 2015, First Step Community Counseling advised the defendant was not in compliance with his chemical dependency treatment. It was stated the defendant has been arriving late to treatment sessions, testing positive for the use of marijuana, provides “minimal” participation, and makes excuses for not participating.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/22/15

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other

s/Fred Van Sickle

Signature of Judicial Officer

October 22, 2015

Date